

U.S. District Court
Southern District of Indiana (Indianapolis)
CIVIL DOCKET FOR CASE #: 1:23-cv-01228-JRS-MG

SWEIGERT v. GOODMAN et al

Assigned to: Judge James R. Sweeney II

Referred to: Magistrate Judge Mario Garcia

Case in other court: 7th Circuit, 24-01091 – Mandate

Cause: 28:1332 Diversity–Libel,Assault,Slander

Date Filed: 07/12/2023

Date Terminated: 02/28/2024

Jury Demand: Plaintiff

Nature of Suit: 320 Assault Libel & Slander

Jurisdiction: Federal Question

Discovery Deadline:

Settlement Conference:

Dispositive Motion Deadline:

Final Pretrial Conference:

Trial Date:

Plaintiff

D.G. SWEIGERT

represented by **D.G. SWEIGERT**
C/O PMB 13339
514 Americas Way
Box Elder, SD 57719
PRO SE

V.

Defendant

JASON GOODMAN

represented by **JASON GOODMAN**
252 7th Avenue Apt 6s
New York, NY 10001
PRO SE

Defendant

21ST CENTURY 3D

represented by **21ST CENTURY 3D**
PRO SE

Defendant

CROWDSOURCE THE TRUTH

represented by **CROWDSOURCE THE TRUTH**
PRO SE

Defendant

PATREON, INC.

A Delaware Corporation

represented by **Tyler Mitchell Layton**
Patreon, Inc.
600 Townsend St.
Ste 500
San Francisco, CA 94103
415-539-5886
Email: tyler@patreon.com
PRO HAC VICE

Date Filed	#	Docket Text
07/12/2023	I 1	COMPLAINT against 21ST CENTURY 3D, CROWDSOURCE THE TRUTH, JASON GOODMAN, filed by D.G. SWEIGERT. (No fee paid with this filing) (CCG) (Entered: 07/13/2023)
07/13/2023	I 2	MAGISTRATE JUDGE's NOTICE of Availability to Exercise Jurisdiction issued. (CCG) (Entered: 07/13/2023)
07/13/2023	I 3	Notice to File Rule 7.1 Disclosure Statement. (RAGS) (CCG) (Entered: 07/13/2023)
08/05/2023	I 4	NOTICE of Change of Address for D.G. SWEIGERT. Address updated from 514 Americas Way Box Elder, SD 57719 to 1522 Vance Avenue, Fort Wayne, Indiana 46805. (JSR) (Entered: 08/07/2023)
08/31/2023	I 5	NOTICE to Pro se Litigant – The following information is provided to pro se litigants to inform them about rules and procedures governing how they communicate with the Court. (Copy mailed to Plaintiff.) (LBT) (Entered: 08/31/2023)
09/10/2023	I 6	Supplemental Complaint Evidence aka Request for Judicial Notice, filed by Plaintiff D.G. SWEIGERT. (Attachments: # 1 Exhibits) (JSR) (Entered: 09/11/2023)
09/27/2023	I 7	NOTICE OF DEFICIENCY – Your complaint has been received. You shall have through October 27, 2023 in which to either pay the \$402 filing fee for this action or demonstrate that you lack the financial ability to do so by filing a motion for leave to proceed without the prepayment of the filing fee (in forma pauperis). A form motion for leave to proceed without the prepayment of the filing fee is being provided for your use. Failure to correct the deficiency may subject the case to dismissal for failure to prosecute. (Attachments: # 1 Motion to Proceed In Forma Pauperis Form) Copies to Plaintiff via US mail. (JSR) (Entered: 09/27/2023)
10/01/2023	I 8	NOTICE of Change of Address for D.G. SWEIGERT from 1522 Vance Ave, Fort Wayne IN 46805 to 514 Americas Way, Box Elder SD 57719. (LF) (Entered: 10/03/2023)
10/13/2023	I 9	Mail Returned as undeliverable. I 7 Notice of Deficiency sent to D.G. SWEIGERT. (CKM) (Entered: 10/16/2023)
10/17/2023	I 10	Order Extending Deadline – Plaintiff provided notice of a change of address. In the interest of justice, the Court extends the deadline for Plaintiff to either pay the \$402 filing fee or demonstrate a financial inability to do so until November 13, 2023. The Clerk shall send Plaintiff a copy of the Notice of Deficiency, (ECF No. I 7), and the attached form request to proceed without prepaying the filing fee along with this Order. SEE ORDER. Copy sent to Plaintiff via US Mail. Signed by Judge James R. Sweeney II on 10/17/2023. (Attachments: # 1 Motion to Proceed In Forma Pauperis Form, # 2 I 7)(JRB) (Entered: 10/18/2023)
11/09/2023	I 11	RECEIPT #7715 for filing fee in the amount of \$402.00, paid by D.G. SWEIGERT. (DJH) (Entered: 11/09/2023)
11/09/2023	I 12	Letter from D.G. SWEIGERT received with payment. (Attachments: # 1 Envelope) (KAA) (Entered: 11/13/2023)
11/11/2023	I 13	AMENDED COMPLAINT against 21ST CENTURY 3D, CROWDSOURCE THE TRUTH, JASON GOODMAN, PATREON, INC., filed by D.G. SWEIGERT. (Attachments: # 1 Exhibits)(KAA) (Entered: 11/13/2023)
11/18/2023	I 14	

		Submission of Proposed Summons, filed by Plaintiff D.G. SWEIGERT. (LF) Modified on 11/21/2023 (LF). (Entered: 11/21/2023)
11/18/2023	<u>15</u>	Submission of Proposed Summons, filed by Plaintiff D.G. SWEIGERT. (LF) (Entered: 11/21/2023)
11/22/2023	<u>16</u>	Summons Issued as to JASON GOODMAN, PATREON, INC.. (TPS) (Entered: 11/22/2023)
11/22/2023	<u>17</u>	NOTICE OF Motion to Stay Proceedings, filed by Defendant, Jason Goodman (DWH) Modified on 11/22/2023 to correct filer (DWH). (Entered: 11/22/2023)
11/22/2023	<u>18</u>	MOTION (Memorandum) to Stay Proceedings, filed by Defendant Jason Goodman. (DWH) Modified on 11/22/2023 to correct filer (DWH). (Entered: 11/22/2023)
11/22/2023	<u>19</u>	CERTIFICATE OF SERVICE by JASON GOODMAN. (DWH) (Entered: 11/22/2023)
11/22/2023	<u>20</u>	CERTIFICATE OF SERVICE upon JASON GOODMAN by D.G. SWEIGERT. (JSR) (Entered: 11/27/2023)
11/23/2023	<u>21</u>	MOTION for Judicial Notice, filed by Plaintiff D.G. SWEIGERT. (Attachments: # <u>1</u> Exhibits) (JSR) (Entered: 11/27/2023)
11/27/2023	<u>22</u>	RESPONSE in Opposition re <u>18</u> MOTION to Stay, filed by Plaintiff D.G. SWEIGERT. (JSR) (Entered: 11/27/2023)
11/27/2023	<u>23</u>	EXHIBITS in Support re <u>22</u> Response in Opposition to Motion by D.G. SWEIGERT. (JSR) (Entered: 11/27/2023)
11/27/2023	<u>24</u>	CERTIFICATE OF SERVICE by D.G. SWEIGERT re <u>21</u> MOTION, <u>22</u> Response in Opposition to Motion, <u>23</u> Exhibit (JSR) (Entered: 11/27/2023)
11/28/2023	<u>25</u>	BRIEF/MEMORANDUM in Support re <u>22</u> Response in Opposition to Motion, filed by Plaintiff D.G. SWEIGERT. (AAS) (Entered: 11/28/2023)
11/28/2023	<u>26</u>	Submission of Certificate of Service Regarding Brief in Support of Response Dkt. <u>22</u> , filed by Plaintiff D.G. SWEIGERT. (AAS) (Entered: 11/28/2023)
11/28/2023	<u>27</u>	Submission of Proof of Service, filed by Plaintiff D.G. SWEIGERT. (LF) (Entered: 11/29/2023)
11/30/2023	<u>28</u>	Second MOTION for Judicial Notice, filed by Plaintiff D.G. SWEIGERT. (JRB) (Entered: 11/30/2023)
11/30/2023	<u>29</u>	CERTIFICATE OF SERVICE to <u>28</u> Second Motion for Judicial Notice by D.G. SWEIGERT (JRB) (Entered: 11/30/2023)
12/04/2023	<u>30</u>	MOTION Request for Judicial Notice, filed by Defendant Jason Goodman. (Attachments: # <u>1</u> Exhibits)(DWH) Modified to correct filing party on 12/7/2023 (JRT). (Entered: 12/06/2023)
12/06/2023	<u>32</u>	RESPONSE in Opposition re <u>30</u> MOTION Request for Judicial Notice, filed by Plaintiff D.G. SWEIGERT. (LBT) (Entered: 12/07/2023)
12/06/2023	<u>33</u>	CERTIFICATE OF SERVICE by D.G. SWEIGERT re <u>32</u> Response in Opposition to Motion. (LBT) (Entered: 12/07/2023)
12/07/2023	<u>31</u>	MOTION for Attorney(s) Tyler M. Layton to Appear pro hac vice (Filing fee \$100, receipt number BINSDC-7934257), filed by Defendant PATREON, INC.. (Layton, Tyler) Modified on 12/7/2023 – corrected spelling of name (RSF). (Entered: 12/07/2023)
12/07/2023	<u>34</u>	

		ADDITIONAL RESPONSE in Opposition re <u>30</u> MOTION Request for Judicial Notice, filed by Plaintiff D.G. SWEIGERT. (SWM) (Entered: 12/08/2023)
12/07/2023	<u>35</u>	CERTIFICATE OF SERVICE by D.G. SWEIGERT re <u>34</u> Response in Opposition to Motion Request for Judicial Notice, filed by D. G. Sweigert. (SWM) (Entered: 12/08/2023)
12/08/2023	<u>36</u>	ORDER granting <u>31</u> Motion to Appear pro hac vice. Attorney Tyler M. Layton for PATREON, INC. added. Signed by Magistrate Judge Mario Garcia on 12/8/2023. (KAA) (Entered: 12/08/2023)
12/13/2023	<u>38</u>	NOTICE regarding extension of time to file answer, filed by Plaintiff D.G. SWEIGERT (LF) (Additional attachment(s) added on 12/18/2023: # <u>1</u> Certificate of Service) (LF). (Entered: 12/18/2023)
12/14/2023	<u>37</u>	STIPULATION <i>to Extend Responsive Pleading Deadline</i> , re <u>13</u> Amended Complaint, filed by Defendant PATREON, INC.. (Layton, Tyler) (Entered: 12/14/2023)
12/19/2023	<u>39</u>	STIPULATION <i>To Extend Defendant's Responsive Pleading Deadline to February 2, 2024</i> , filed by Defendant PATREON, INC.. (Layton, Tyler) (Entered: 12/19/2023)
12/29/2023	<u>41</u>	ORDER SETTING PRO SE INITIAL PRE-TRIAL CONFERENCE – The above case is hereby assigned for a TELEPHONIC INITIAL PRETRIAL CONFERENCE on Monday, March 25, 2024 at 2:30 p.m. (Eastern), before the Honorable Mario Garcia, United States Magistrate Judge. The parties shall attend the conference by using the following call-in information: 866–434–5269, Access Code 1040400, Security Code 231228. SEE ORDER. Copy to Parties via US Mail. Signed by Magistrate Judge Mario Garcia on 12/29/2023.(AAS) (Entered: 01/02/2024)
01/02/2024	<u>40</u>	ORDER – Upon consideration of the parties' Stipulations to Extend Defendant Patreon Inc.'s Responsive Pleading Deadlines (Dkts. <u>37</u> and <u>39</u>) the Court hereby ORDERS as follows: Defendant Patreon, Inc.'s responsive pleading to Plaintiff D.G. Sweigert's Amended Complaint for Damages, filed November 11, 2023 Dkt. No. <u>13</u> , shall be filed on or before February 2, 2024. Copy to Parties via US Mail. Signed by Magistrate Judge Mario Garcia on 01/02/2024.(AAS) (Entered: 01/02/2024)
01/07/2024	<u>42</u>	Third MOTION for Judicial Notice, filed by Plaintiff D.G. SWEIGERT. (KAA) (Entered: 01/08/2024)
01/07/2024	<u>43</u>	CERTIFICATE OF SERVICE by D.G. SWEIGERT re <u>42</u> Third MOTION for Judicial Notice. (KAA) (Entered: 01/08/2024)
01/15/2024	<u>44</u>	CERTIFICATE OF SERVICE of Amended Complaint and Summons by D.G. SWEIGERT (LBT) (Entered: 01/16/2024)
01/19/2024	<u>45</u>	Order on Various Motions – The existing motions, (ECF Nos. <u>18</u> , <u>21</u> , <u>28</u> , <u>30</u> , and <u>42</u>), are denied, except insofar as the Court takes judicial notice of the Parties' litigation history in other courts. The operative Amended Complaint, (ECF No. <u>13</u>), is dismissed without prejudice for failure to comply with Rule 8. Fed. R. Civ. P. 8(a). That makes the Magistrate Judge's Order extending Patreon's Answer deadline, (ECF No. <u>40</u>), moot, because there is now no Complaint to be answered. The Court will give the Parties a chance to begin again. Sweigert is given until 4:00 p.m. Friday, February 02, 2024, to file a motion titled "Motion for Leave to File Second Amended Complaint." That Motion should contain only: (See Order.) Signed by Judge James R. Sweeney II on 1/19/2024. Copies distributed pursuant to distribution list. (JSR) (Entered: 01/19/2024)
01/20/2024	<u>46</u>	NOTICE OF APPEAL as to <u>45</u> Order on Motion; Order on Motion to Stay, filed by Plaintiff D.G. SWEIGERT. (No fee paid with this filing) (JSR) (Entered: 01/22/2024)
01/22/2024	<u>47</u>	PARTIES' SHORT RECORD re <u>46</u> Notice of Appeal – Instructions for Attorneys/Parties attached. (Copy to appellant via US Mail.) (KAA) (Entered: 01/22/2024)

01/22/2024	<u>48</u>	Transmission of Notice of Appeal and Docket Sheet to US Court of Appeals re <u>46</u> Notice of Appeal. – for Court of Appeals Use Only. (KAA) (Entered: 01/22/2024)
01/23/2024	<u>49</u>	USCA Case Number 24-1091 for <u>46</u> Notice of Appeal filed by D.G. SWEIGERT. (Attachments: # <u>1</u> Fee Notice)(KAA) (Entered: 01/23/2024)
01/25/2024	<u>50</u>	RETURN of Service Unexecuted as to JASON GOODMAN, filed by D.G. SWEIGERT. (LBT) (Entered: 01/26/2024)
01/26/2024	<u>51</u>	MOTION for Judicial Notice, filed by Defendant Jason Goodman. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Certificate of Service)(LBT) Modified to correct docket text per dkt <u>79</u> on 2/22/2024 (LF). (Entered: 01/26/2024)
01/26/2024	<u>54</u>	Plaintiff's Fourth MOTION for Judicial Notice, filed by Plaintiff D.G. SWEIGERT. (Attachments: # <u>1</u> Exhibit)(KAA) (Entered: 01/29/2024)
01/26/2024	<u>55</u>	CERTIFICATE OF SERVICE by D.G. SWEIGERT re <u>54</u> Plaintiff's Fourth MOTION for Judicial Notice. (KAA) (Entered: 01/29/2024)
01/28/2024	<u>52</u>	NOTICE of Errata and Corrections, filed by Defendant Jason Goodman, re <u>51</u> MOTION. (Attachments: # <u>1</u> Exhibit) (KAA) Modified on 2/1/2024 (LF). (Entered: 01/29/2024)
01/28/2024	<u>53</u>	CERTIFICATE OF SERVICE by Jason Goodman re <u>52</u> Notice of Errata and Corrections (KAA) Modified on 2/1/2024 (LF). (Entered: 01/29/2024)
01/29/2024	<u>56</u>	First Sworn DECLARATION of Plaintiff by D.G. SWEIGERT. (JSR) (Entered: 01/30/2024)
01/31/2024	<u>57</u>	NOTICE of Correction, filed by Plaintiff D.G. SWEIGERT (AAS) (Entered: 01/31/2024)
02/01/2024	<u>58</u>	MARGINAL ENTRY: Acknowledged. Clerk is directed to updated docket text re <u>57</u> Notice (Other). See Order. Signed by Judge James R. Sweeney II on 2/1/2024. Copies mailed per Distribution list. (LF) (Entered: 02/01/2024)
02/03/2024	<u>59</u>	NOTICE to the Court of Filing Jurisdictional Statement with the Court of Appeals by D.G. SWEIGERT (KAA) (Entered: 02/06/2024)
02/05/2024	<u>60</u>	MANDATE of USCA as to <u>46</u> Notice of Appeal filed by D.G. SWEIGERT (USCA #24-1091) – IT IS ORDERED that this case is DISMISSED, pursuant to Federal Rule of Appellate Procedure 42(b). (LBT) (Entered: 02/06/2024)
02/06/2024	<u>61</u>	MOTION for Contempt, filed by Defendant Jason Goodman. (JSR) (Additional attachment(s) added on 2/7/2024: # <u>1</u> Exhibit) (JSR). Modified to correct docket text per dkt <u>79</u> on 2/22/2024 (LF). (Entered: 02/07/2024)
02/06/2024	<u>62</u>	CERTIFICATE OF SERVICE by D.G. SWEIGERT re <u>61</u> MOTION (JSR) (Entered: 02/07/2024)
02/07/2024	<u>63</u>	MOTION for Clarification of Order, filed by Plaintiff D.G. SWEIGERT. (JSR) (Entered: 02/07/2024)
02/07/2024	<u>64</u>	CERTIFICATE OF SERVICE by D.G. SWEIGERT re <u>63</u> MOTION (JSR) (Entered: 02/07/2024)
02/09/2024	<u>65</u>	NOTICE of Motion Seeking Leave to File a Counterclaim, filed by Defendant JASON GOODMAN (JSR) Modified on 2/13/2024 – Updated dkt text (JSR). (Entered: 02/12/2024)
02/09/2024	<u>66</u>	MOTION Seeking Leave to File a Counterclaim, filed by Defendant JASON GOODMAN. (JSR) Modified on 2/13/2024 – Updated dkt text (JSR). (Entered: 02/12/2024)
02/09/2024	<u>67</u>	EXHIBITS re <u>66</u> MOTION Seeking Leave to File a Counterclaim, filed by Defendant JASON GOODMAN. (JSR) Modified on 2/13/2024 – Updated dkt text (JSR). (Entered: 02/12/2024)

02/09/2024	<u>68</u>	MEMORANDUM in Support re <u>66</u> MOTION Seeking Leave to File a Counterclaim, filed by Defendant JASON GOODMAN. (JSR) Modified on 2/13/2024 – Updated dkt text (JSR). (Entered: 02/12/2024)
02/09/2024	<u>69</u>	CERTIFICATE OF SERVICE by JASON GOODMAN re <u>66</u> MOTION Seeking Leave to File a Counterclaim (JSR) Modified on 2/13/2024 – Updated dkt text (JSR). (Entered: 02/12/2024)
02/12/2024	<u>70</u>	NOTICE of Mistake and Entries in Error on Docket, filed by Plaintiff D.G. SWEIGERT. (LBT) (Entered: 02/13/2024)
02/12/2024	<u>71</u>	MOTION for Court to Take Judicial Notice, filed by Plaintiff D.G. SWEIGERT. (Attachments: # <u>1</u> Exhibit)(LBT) (Entered: 02/13/2024)
02/15/2024	<u>72</u>	MOTION for Court to Take Judicial Notice filed by Defendant JASON GOODMAN. (Attachments: # <u>1</u> Exhibit)(BAA) (Entered: 02/15/2024)
02/15/2024	<u>73</u>	SCHEDULING ORDER: Telephonic Status Conference set for 3/7/2024 11:30 AM (Eastern Time) before Magistrate Judge Mario Garcia. Parties shall attend the status conference by calling (571) 353-2301, Guest Meeting ID: 719554099. If there are technical difficulties the parties are to call chambers at 317-229-3610. Copy to D.G. Sweigert and Jason Goodman via US Mail. Signed by Magistrate Judge Mario Garcia on 2/15/2024. (SWM) (Entered: 02/16/2024)
02/15/2024	<u>74</u>	CERTIFICATE OF SERVICE by JASON GOODMAN re <u>72</u> MOTION (AAS) (Entered: 02/16/2024)
02/15/2024	<u>75</u>	CERTIFICATE OF SERVICE by JASON GOODMAN re <u>72</u> MOTION (AAS) (Entered: 02/16/2024)
02/18/2024	<u>77</u>	MOTION for Non Public Scheduling Conference, filed by Plaintiff D.G. SWEIGERT. (DWH) (Entered: 02/21/2024)
02/18/2024	<u>78</u>	NOTICE of Mistake and Entries in Error on Docket, filed by Plaintiff D.G. SWEIGERT, re <u>51</u> MOTION, <u>61</u> MOTION. (DWH) (Entered: 02/21/2024)
02/21/2024	<u>76</u>	Mail Returned as undeliverable. <u>47</u> Parties Short Record sent to D.G. SWEIGERT. (AJG) Modified on 2/22/2024 – Resent <u>47</u> to Plaintiff with PMB included (JSR). (Entered: 02/21/2024)
02/22/2024	<u>79</u>	MARGINAL ENTRY: Acknowledged. Clerk is directed to update docket text, re <u>78</u> Notice (Other). See Order. Signed by Judge James R. Sweeney II on 2/22/2024. Copies mailed per Distribution list. (LF) (Entered: 02/22/2024)
02/22/2024	<u>80</u>	MOTION for Judicial Notice filed by Plaintiff D.G. SWEIGERT. (Attachments: # <u>1</u> Exhibit)(BAA) (Entered: 02/23/2024)
02/26/2024	<u>81</u>	MOTION (Request) for Judicial Notice, filed by Defendant JASON GOODMAN. (Attachments: # <u>1</u> Exhibit A – Letter)(SWM) (Entered: 02/28/2024)
02/27/2024	<u>82</u>	CERTIFICATE OF SERVICE by JASON GOODMAN (LF) (Entered: 02/29/2024)
02/28/2024	<u>83</u>	CLOSED TRANSFER to Southern District of New York – This case, between two pro se litigants with a history of mutually accusatory and generally frivolous litigation, has no operative complaint. The Court warned that noncompliance with its instructions might result in dismissal or transfer, (Order <u>5</u> , ECF No. <u>45</u>), and the Court now follows through. The Court could simply dismiss the case as "frivolous or malicious." But the Court thinks it worthwhile to transfer the case instead, because the New York courts, themselves harassed by these Parties, may wish to impose or enforce sanctions, and so prevent further abuse of judicial resources. The pending motions, (ECF Nos. <u>51</u> , <u>54</u> , <u>61</u> , <u>63</u> , <u>66</u> , <u>71</u> , <u>72</u> , <u>77</u> , <u>80</u> , <u>81</u>), are denied; the scheduled status conference is cancelled, and the clerk is directed to transfer the action to the Southern District of New York. (See Order.)

	Signed by Judge James R. Sweeney II on 2/28/2024. Copies distributed pursuant to distribution list. (JSR) (Entered: 02/29/2024)
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02/28/2024	<u>184</u> Transfer Letter to Clerk of the Southern District of New York. Case transferred electronically to Southern District of New York on 2/28/2024. (JSR) (Entered: 02/29/2024)
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SWEIGERT v. GOODMAN et al (1:23-cv-01228-JRS-MG)